WO 1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 7 FOR THE DISTRICT OF ARIZONA 8 Artis Gipson, 9 No. CV-22-00480-TUC-RM (P) Plaintiff, **ORDER** 10 11 v. 12 David Shinn, et al., 13 Defendants. 14 Plaintiff Artis Gipson filed a civil rights Complaint pursuant to 42 U.S.C § 1983 15 challenging prison disciplinary proceedings. (Doc. 1.) On screening under 28 U.S.C. § 16 1915A, this Court dismissed the Complaint because a judgment in Plaintiff's favor would 17 necessarily imply the invalidity of Plaintiff's loss of good-time credits. (Doc. 10.) 18 Plaintiff filed a Notice of Appeal (Doc. 15), and the Ninth Circuit Court of Appeals 19 referred the matter to this Court for the limited purpose of determining whether Plaintiff's 20 in forma pauperis status should continue for the appeal or whether the appeal is frivolous 21 or taken in bad faith (Doc. 17). 22 Upon review of the record, this Court finds that Plaintiff's appeal is frivolous. See 23 Hooker v. Am. Airlines, 302 F.3d 1091, 1092 (9th Cir. 2002). 24 Accordingly, 25 26 27 28

## Case 4:22-cv-00480-RM-PSOT Document 18 Filed 03/27/23 Page 2 of 2

IT IS ORDERED that the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that Plaintiff's in forma pauperis status should not continue on appeal because Plaintiff's appeal is frivolous. The Clerk of Court shall send a copy of this Order to the Clerk of the Ninth Circuit Court of Appeals. Dated this 27th day of March, 2023. Honorable Rosemary Márquez United States District Judge 

- 2 -